UNITED STATES PATENT AND TRADEMARK OFFICE

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GREENBERG TRAURIG, LLP
77 WEST WACKER DRIVE
SUITE 2500
CHICAGO, IL 60601-1732

EXAMINER
STERRETT, JONATHAN G

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Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	09/778,311	CALLAHAN ET AL.
	Examiner	Art Unit	
	Jonathan G. Sterrett	3623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *16 November 2005.*

2a)☐ This action is **FINAL.**   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-36* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-36* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

        1.☐ Certified copies of the priority documents have been received.

        2.☐ Certified copies of the priority documents have been received in Application No. _____.

        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

1.   This Office Action is responsive to applicant's amendment filed November 16,

2005. Currently **Claims 1-19** are pending.

Response to Arguments

2.   Applicant's arguments filed on November 16, 2005 with respect to **Claims 1-19**

have been considered but they are moot in view of new grounds of rejection.

The applicant argues that Whirlpool and Pointserve fail to meet the claimed

limitations either individually or together regarding the claim limitation of providing the

customer with multiple time slots from which to schedule a repair appointment.

The examiner respectfully disagrees.

In response to applicant's arguments against the references individually, one

cannot show nonobviousness by attacking references individually where the rejections

are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208

USPQ 871 (CCPA 1981); *In re Merck & Co.,* 800 F.2d 1091, 231 USPQ 375 (Fed. Cir.

1986).

Whirlpool teaches providing the customer with a pull down menu from which they

can select from multiple appliances from which to receive repair information on that

appliance. Whirlpool also teaches providing the customer with the nearest service

provider based on a geographical identifier provided by the customer. Whirlpool

teaches a website accessed by the customer whereby information is transmitted back

and forth between the server device (i.e. the web server) and the client device (the

internet device used by the customer to access the webpage).

Whirlpool fails to teach the customer receiving multiple repair slots based on their

geographic identifier (i.e. zip code). PointServe teaches allowing the customer to

schedule their own home service calls (see Reference W1 page 1 paragraph 6 line 1-3

"..as the company launches a site that will let consumers arrange and schedule...a

range of home-based contractors"). Clearly this cited reference indicates the consumer

is scheduling their own calls, rather than picking some candidate schedule slots and

then letting the contractor finalize the schedule (See also Reference V1 page 2

paragraph 2 where PointServe teaches that consumers, not vendors, schedule an

appointment). PointServe teaches that enabling the consumers to schedule their own

calls will improve customer satisfaction with the service industry. The examiner

interprets the paragraph of Reference V1 page 2 paragraph 3 regarding 'real time

scheduling' to mean that the PointServe application is able to finalize the schedule slot

when the customer requests it. This is in accordance with the discussion on page 1 of

Reference W1, where it is indicated that customers can make their own appointments.

PointServe also teaches that the scheduling algorithm takes into account a customer's

location in the routing and scheduling of service calls.

The rejection of Claim 1 is made obvious by a combination of the teachings of

Whirlpool, which provides selection of appliance identifier through a drop-down box and

provides the nearest service provider based on the customer's zip code, with the

teachings of PointServe, which teaches that consumers are provided with a plurality of

service providers (and thus multiple schedule slots, since each service provider must

provide at least one schedule slot). It would be obvious to one of ordinary skill in the art

to modify the multiple appliance selection provided by Whirlpool with the geographic

based scheduling algorithm provided by PointServe, to full meet the claim limitations

with a reasonable anticipation of success. Both PointServe and Whirlpool address

providing appliance servicing through an internet application and thus both are

analogous art.

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

4.   **Claims 1-7 and 9-19** are rejected under 35 U.S.C. 103(a) as being unpatentable

over **Whirlpool.com** in view of PointServe.com (**PointServe**).

Whirlpool.com is contained in the following references (designations maintained

from Office Action of February 1, 2005):

        Reference A: "KitchenAid Appliance Diagnostic System" archive.org website of

whirlpool.com, 6/26/1997;

Reference B: "KitchenAid Repair Service Locator" archive.org website of whirlpool.com, 6/26/1997;

Reference E; Whirlpool website search engine, archive.org website of whirlpool.com 1/17/1999;

Reference F; Whirlpool webpage of air conditioners hypertext links of specific models, archive.org website of 4/29/1999.

Reference G; Whirlpool webpage "Service Matters", archive.org website of 6/26/1997.

PointServe is contained in the following references:

Hickey, Kathleen, "Right Place, Right Time", Nov 1999, Traffic World, v260, n4, p47, Dialog 06791905 57430340, hereafter referred to as **Reference U1**.

PRNewswire, "PointServe Launches Breakthrough On-Line Scheduling Solutions to Dramatically Improve the Reliability of Home and Business-Oriented Service Delivery Regional Rollout to Begin in Salt Lake City on Nov 1; National Launch Slated for Early 2000", Oct 1999, p.1, ProQuest ID 45806204, hereafter referred to as **Reference V1**.

Satran, Dick, "Rocket Scientist tries improving service industry", Oct 1999, Vancouver Sun, Vancouver, B.C., p.E2, ProQuest ID 08321299, hereafter referred to as **Reference W1**.

Hall, John, R; "New Service Website Holds Promise for Contractors", Nov 1999, Air Conditioning, Heating & Refrigeration News; 208, 13; ABI/INFORM Global, p.1, hereafter referred to as **Reference X1**.

Regarding **Claim 1**, Whirlpool.com teaches:

receiving an appliance selection request message at a server device from a client device via a wide area network;

Reference A, drop down menu constitutes application selection request. Since the whirlpool web page is provided over the internet, when a person selects one of the appliances, the selection is received at the server.

the appliance selection request message being indicative of a desire to receive appliance selection data, the appliance selection data facilitating selection of a first home appliance by the customer;

Reference A, drop down menu facilitates selection of different kinds of home appliances – these are selected by a customer who is viewing the webpage; Reference G has a link "Appliance Diagnostics" that facilitates selection of a home appliance by the customer.

transmitting the appliance selection data from the server device to the client device via the wide area network in response to receiving the appliance selection request message;

Reference A webpage is in communication with Whirlpool.com website. This webpage, which includes appliance selection data, is transmitted to the customer (i.e. client device) via the internet (i.e. wide area network) when the customer clicks on the link "Appliance Diagnostics" in Reference G. A customer uses this webpage to transfer selection data back to the whirlpool website

receiving an appliance identifier at the server device from the client device

via the wide area network, the appliance identifier being provided by the

customer and distinguishing the first home appliance from a second home

appliance;

Reference A, Whirlpool.com webpage on a client device transmits data back to

the server device to identify models so that customers can receive aid in resolving to

problems, including distinguishing between different home appliances.

receiving a geographical identifier provided by the customer at the server

device from the client device via the wide area network;

Reference B, Whirlpool.com webpage transmits zip code information from the

customer's computer (i.e. client device) along with product type based on customer's

input to identify a service locator.

Whirlpool teaches using drop down boxes to provide customers, who are

accessing the whirlpool.com website over the internet, with the ability to select

information for transmission back to a server device. Whirlpool's teachings only include

the selection data being appliance and location related. Whirlpool teaches that

customers can input their zipcode to locate a nearest service company. Whirlpool's

webpage operates over the internet, from a web server to a customer's computer (client

device).

Whirlpool also teaches receiving a geographical identifier from the client device

(the customer viewing whirlpool's webpage) at their web server to identify a service

location based on the geographical identifier (zip code). A customer identifying a

service location would be indicative of their desire to have their home appliance

repaired.

Whirlpool.com does not teach:

determining at the server device multiple available repair time slots based

on at least one of the appliance identifier and the geographical identifier provided

by the customer;

transmitting data indicative of the multiple available repair time slots from

the server device to the client device via the wide area network to thereby allow

customers to select at least one of the multiple available repair time slots; and

receiving time slot selection data at the server device from the client device

via the wide area network, the time slot selection data indicating a desire by the

customer to have the first home appliance repaired in the one of the multiple

available repair time slots selected by the customer.

PointServe teaches:

determining at the server device multiple available repair time slots based

on at least one of the appliance identifier and the geographical identifier provided

by the customer;

Reference V1 page 2 paragraph 8 line 1-3, PointServe incorporates GIS

information into the software package that service providers use to manage scheduling.

This would include providing at least one available repair time slot based on the customer location (i.e. geographical identifier).

Reference W1 page 1 paragraph 6 line 1-3, customers can arrange and schedule a variety of services at their home, i.e. use pointserve to determine multiple available repair time slots based on their geographic location – using PointServe's GIS information.

transmitting data indicative of the multiple available repair time slots from the server device to the client device via the wide area network to thereby allow customers to select at least one of the multiple available repair time slots; and

Reference U1 page 1 paragraph 5 line 1-4, users can access a website (i.e. time slots are transmitted from the server device to the client device) to see what open spaces exist in a company's schedule for service providers. PointServe transmits the time slot data via the internet (i.e. wide area network) to the user's computer (i.e. client device).

receiving time slot selection data at the server device from the client device via the wide area network, the time slot selection data indicating a desire by the customer to have the first home appliance repaired in the one of the multiple available repair time slots selected by the customer.

Reference V1 page 2 paragraph 2 line 1-2, customers can schedule an appointment with a service provider over the internet (i.e. wide area network). The scheduling would require that the service provider receives time slot selection data from the customer's computer (i.e. client device).

Reference W1 page 1 paragraph 6 line 1-3, customers can arrange and schedule a variety of services at their home. See also PointServe's discussion on Reference V1 page 2 regarding providing 'real time' scheduling to the customer. The examiner interprets this to allowing the customer to choose, based on their geographic information, a time slot data from multiple time slot data.

Pointserve teaches providing customers with a variety of scheduling options (i.e. multiple schedule slots) so that they can schedule home service personnel (including appliance repair) see Reference V1 page 2 paragraph 2 line 1-5. Pointserve teaches that customers are making their own schedules from the information from the internet which involves multiple time slots from the various service providers they can select.

Both Whirlpool.com and PointServe address providing home service to customers, and thus both are analogous art.

PointServe teaches that it helps companies control costs and maximize profits by optimizing the scheduling and dispatch of service workers in accordance with GIS position data that provides for scheduling based on location (Reference U1 page 1 paragraph 2 line 2-6).

Pointserve further teaches that providing customers with the ability to reliably schedule their own service appointments will improve customer satisfaction with home service providers (Reference W1 page 1 paragraph 5 line 1-3).

It would have been obvious to one of ordinary skill in the art at the time of the

invention to modify the teachings of Whirlpool.com regarding providing appliance

selection data over the internet via a drop down box for customers to select and provide

appliance selection data from multiple selections of appliance selection data, with the

step of determining, transmitting and receiving multiple time slot selection data to and

from customers over the internet for scheduling an appliance repair, as taught by

PointServe, because it will improve customer satisfaction with the home service

industry.

Regarding **Claim 2**, Whirlpool.com and PointServe teach all the limitations of

Claim 1 above, but Whirlpool.com does not teach:

the step of dispatching an agent of an appliance repair provider based on

the time slot selection data.

PointServe teaches:

the step of dispatching an agent of an appliance repair provider based on

the time slot selection data.

Reference V1 page 2 paragraph 3 line 3-4, technician (i.e. agent) is dispatched

Reference V1 page 2 paragraph 2 line 1-2, since the customer is scheduling an

appointment based on time slot selection data, the technician would be dispatched

based on that time slot selection data.

Both Whirlpool.com and PointServe.com address the needs of appliance owners who are accessing appliance repair information over the internet, and thus both are analogous art.

PointServe teaches that it helps companies control costs and maximize profits by optimizing the scheduling and dispatch of service workers (Reference U1 page 1 paragraph 2 line 2-6).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the teachings of Whirlpool.com regarding providing appliance selection data over the internet, with the steps of scheduling an agent based on the time slot selection data, as taught by PointServe, because it would enable costs to be controlled and profit maximized through the optimization of service scheduling.

Regarding **Claim 3**, Whirlpool.com and PointServe teach all the limitations of Claim 1 above, but Whirlpool.com does not teach:

the step of repairing the first home appliance, wherein the step of repairing the first home appliance is performed after the step of receiving time slot selection data from the client device via the wide area network.

PointServe teaches:

the step of repairing the first home appliance, wherein the step of repairing the first home appliance is performed after the step of receiving time slot selection data from the client device via the wide area network.

Reference V1 page 2 paragraph 8 line 1-3, PointServe schedules the technician after the customer selects a time slot for repair – see also Reference U1 page 1 paragraph 1 line 1-2, this example details a washing machine (i.e. appliance repair) repair person scheduled for an appointment at 9 am.

Reference V1 page 2 paragraph 4 line 1-2, PointServe provides web-based scheduling, which includes a service provider receiving time slot selection data via the internet (i.e. wide area network).

Both Whirlpool.com and PointServe.com address the needs of appliance owners who are accessing appliance repair information over the internet, and thus both are analogous art.

PointServe teaches that it helps companies control costs and maximize profits by optimizing the scheduling and dispatch of service workers (Reference U1 page 1 paragraph 2 line 2-6).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the teachings of Whirlpool.com regarding providing appliance selection data over the internet, with the step of repairing the first home appliance,

wherein the step of repairing the first home appliance is performed after the step of

receiving time slot selection data from the client device via the wide area network, as

taught by PointServe, because it would enable costs to be controlled and profit

maximized through the optimization of service scheduling.

Regarding **Claims 4 and 5**, Whirlpool.com and PointServe teach all the

limitations of Claim 1 above, and Whirlpool.com teaches:

the step of receiving an appliance selection request message comprises:

the step of receiving a hypertext transport protocol (HTTP) message

Reference A, this webpage is transmitted as an http message, as per Claim 4;

the step of receiving an appliance selection request message from a

personal computer (PC), as per Claim 5.

It is inherent that Whirlpool's webpage would have been transmitted from a client

computer that is a PC because it is old and well known in the art that PC's can locate

and display webpages, including Whirlpool's webpage, and transmit the appliance

selection request message.

Regarding **Claim 6**, Whirlpool.com and PointServe teach all the limitations of

Claim 1 above, and Whirlpool.com teaches:

the step of transmitting the appliance selection data comprises the step of

transmitting web page data.

Reference A, webpage that transmits appliance selection data back to the

Whirlpool website.

Regarding **Claim 7**, Whirlpool.com and PointServe teach all the limitations of

Claim 1 above, and Whirlpool.com teaches:

transmitting the appliance selection data comprises the step of

transmitting a list of model numbers.

Reference F page 1, Whirlpool's website contains hypertext links that denote

individual model numbers.

Regarding **Claim 9**, Whirlpool.com and PointServe teach all the limitations of

Claim 1 above, but Whirlpool.com does not teach:

transmitting the appliance selection data comprises the step of

transmitting a digital picture of an appliance.

Official Notice is taken that it is old and well known in the art of the internet to

display digital pictures of products via a web page. This is used by companies to

display various pictures to illustrate the visual differences between the two products.

This is an efficient way to communicate different product models to a user viewing a

website.

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the collective teachings of Whirlpool.com and PointServe, regarding providing appliance service and scheduling over the internet, to include the step of providing digital pictures of appliance products over the internet, because it would provide an efficient way for customers to select the correct product to be repaired.

Regarding **Claim 11**, Whirlpool.com and PointServe teach all the limitations of Claim 1 above, and Whirlpool.com teaches:

wherein the step of transmitting the appliance selection data comprises the step of transmitting data indicative of a search engine query area

Reference E, keyword search input on Whirlpool's webpage.

Regarding **Claim 12**, Whirlpool and PointServe teach all the limitations of Claim 1 above, and Whirlpool.com teaches:

wherein the step of receiving an appliance identifier comprises the step of receiving an appliance model number.

Reference F, model numbers of air conditioners listed on webpage.

Regarding **Claim 13**, Whirlpool and PointServe teach all the limitations of Claim 1 above, and Whirlpool.com teaches:

wherein the step of receiving an appliance identifier comprises the step of receiving an identifier associated with the appliance selection data

Reference F, model numbers are associated with the appliance selection data, in this example, room air conditioners.

Regarding **Claim 14**, Whirlpool and PointServe teach all the limitations of Claim 1 above, and Whirlpool.com teaches:

wherein the step of receiving a geographical identifier comprises the step of receiving a zip code.

Reference B: zip code input area on Whirlpool.com website for receiving a geographic identifier.

Regarding **Claim 15**, Whirlpool.com and PointServe teach all the limitations of Claim 1 above, but Whirlpool does not teach:

wherein the step of determining multiple available repair time slots based on the appliance identifier comprises the step of querying a database of predetermined appliance repair providers for a particular appliance repair provider associated with the appliance identifier.

PointServe teaches:

wherein the step of determining multiple available repair time slots based on the appliance identifier comprises the step of querying a database of predetermined appliance repair providers for a particular appliance repair provider associated with the appliance identifier.

Reference V1 page 2 paragraph 2 line 2-5, customers can search online to find

the best service provider (of a plurality of service providers and thus time slots), e.g. for

appliance repair the customer would search for the appropriate appliance repair

provider based on their particular appliance (i.e. appliance identifier)—see Reference

U1 page 1 paragraph 5 line 1-2, users can search on a particular company's website for

repair provider time slot.

Both Whirlpool.com and PointServe.com address the needs of appliance owners

who are accessing appliance repair information over the internet, and thus both are

analogous art.

PointServe teaches that it helps companies control costs and maximize profits by

optimizing the scheduling and dispatch of service workers (Reference U1 page 1

paragraph 2 line 2-6).

It would have been obvious to one of ordinary skill in the art at the time of the

invention to modify the teachings of Whirlpool.com regarding providing appliance

selection data over the internet, with the step of querying a database of predetermined

appliance repair providers for a particular appliance repair provider associated with the

appliance identifier, as taught by PointServe, because it would enable costs to be

controlled and profit maximized through the optimization of service scheduling.

Regarding **Claim 16**, Whirlpool and PointServe teach all the limitations of Claim

1 above, but Whirlpool.com does not teach:

wherein the step of determining multiple available repair time slots further

comprises the step of receiving schedule data from the particular appliance

repair provider.

PointServe teaches:

wherein the step of determining multiple available repair time slots further

comprises the step of receiving schedule data from the particular appliance

repair provider.

Reference U1 page 1 paragraph 5 line 1-3, users can access a company's

schedule online to see what available slots (i.e. multiple slots) of the company's service

providers have (i.e. receiving schedule data).

Both Whirlpool.com and PointServe.com address the needs of appliance owners

who are accessing appliance repair information over the internet, and thus both are

analogous art.

PointServe teaches that it helps companies control costs and maximize profits by

optimizing the scheduling and dispatch of service workers (Reference U1 page 1

paragraph 2 line 2-6).

It would have been obvious to one of ordinary skill in the art at the time of the

invention to modify the teachings of Whirlpool.com regarding providing appliance

selection data over the internet, with the step of receiving schedule data from the

particular appliance repair provider, as taught by PointServe, because it would enable

costs to be controlled and profit maximized through the optimization of service

scheduling.

Regarding **Claim 17**, Whirlpool and PointServe teach all the limitations of Claim

1 above, but Whirlpool.com does not teach:

wherein the step of determining multiple available repair time slots based

on the appliance identifier and the geographical identifier comprises the step of

querying a database of predetermined appliance repair providers for a particular

appliance repair provider associated with the geographical identifier.

PointServe teaches:

wherein the step of determining multiple available repair time slots based

on the appliance identifier and the geographical identifier comprises the step of

querying a database of predetermined appliance repair providers for a particular

appliance repair provider associated with the geographical identifier

Reference V1 page 2 paragraph 4 line 1-4, users can search for appliance repair

providers in their locale, in this case it is Salt Lake City, so the users would be searching

online for a repair provider associated within the Salt Lake City area (i.e. geographical

identifier). Searching a multiple number of providers would result in a multiple number of repair time slots also.

Reference V1 page 2 paragraph 8 line 1-4, PointServe uses a geographic information system (GIS) to schedule particular repair service providers. Since it is optimizing scheduling, it would have to take into account the geography of the service provider in proximity to the user requesting the service.

Both Whirlpool.com and PointServe.com address the needs of appliance owners who are accessing appliance repair information over the internet, and thus both are analogous art.

PointServe teaches that it helps companies control costs and maximize profits by optimizing the scheduling and dispatch of service workers (Reference U1 page 1 paragraph 2 line 2-6).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the teachings of Whirlpool.com regarding providing appliance selection data over the internet, with the step of step of querying a database of predetermined appliance repair providers for a particular appliance repair provider associated with the geographical identifier, as taught by PointServe, because it would enable costs to be controlled and profit maximized through the optimization of service scheduling.

Regarding **Claim 18**, Whirlpool and PointServe teach all the limitations of Claim

17 above, but Whirlpool.com does not teach:

wherein the step of determining at least multiple time slots further

comprises the step of receiving schedule data from the particular appliance

repair provider.

PointServe teaches:

wherein the step of determining multiple available repair time slots further

comprises the step of receiving schedule data from the particular appliance

repair provider.

Reference U1 page 1 paragraph 5 line 1-3, users can receive schedule data from

a particular appliance repair provider to see the open slots (i.e. available repair time

slot) available for that provider to schedule a visit to repair their appliance.

Both Whirlpool.com and PointServe.com address the needs of appliance owners

who are accessing appliance repair information over the internet, and thus both are

analogous art.

PointServe teaches that it helps companies control costs and maximize profits by

optimizing the scheduling and dispatch of service workers (Reference U1 page 1

paragraph 2 line 2-6).

It would have been obvious to one of ordinary skill in the art at the time of the

invention to modify the teachings of Whirlpool.com regarding providing appliance

selection data over the internet, with the step of receiving schedule data from the

particular appliance repair provider, as taught by PointServe, because it would enable

costs to be controlled and profit maximized through the optimization of service

scheduling.

Regarding **Claim 19**, Whirlpool and PointServe teach all the limitations of Claim

1 above, but Whirlpool.com does not teach:

wherein the step of transmitting data indicative of the multiple available

repair time slots comprises the step of transmitting web page data.

PointServe teaches:

wherein the step of transmitting data indicative of the multiple available

repair time slot scomprises the step of transmitting web page data.

Reference U1 page 1 paragraph 5 line 1-3, users are accessing a web site (i.e.

transmitting web page data) to receive available time slot data.

Both Whirlpool.com and PointServe.com address the needs of appliance owners

who are accessing appliance repair information over the internet, and thus both are

analogous art.

PointServe teaches that it helps companies control costs and maximize profits by optimizing the scheduling and dispatch of service workers (Reference U1 page 1 paragraph 2 line 2-6).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the teachings of Whirlpool.com regarding providing appliance selection data over the internet, with the step of receiving schedule data from the particular appliance repair provider as web page data, as taught by PointServe, because it would enable costs to be controlled and profit maximized through the optimization of service scheduling.

5.   **Claims 8** is rejected under 35 U.S.C. 103(a) as being unpatentable over **Whirlpool.com** in view of PointServe.com (**PointServe**) and further in view of **Francett**.

Francett, Barbara, "An Exercise in Utility", June 1997, Software Magazine; 17, 6; ABI/INFORM Global, p.75, hereafter referred to as **Reference U2**.

Regarding **Claim 8**, Whirlpool.com and PointServe teach all the limitations of Claim 1 above, and Whirlpool.com teaches:

providing appliance information over the internet to help a customer with servicing their appliance (Reference A). This includes the customer providing appliance

identification information from the client device to the server device (the web server

providing the cited whirlpool webpages.

Whirlpool.com does not teach:

receiving a user identifier provided by the customer at the server device

from the client device via the wide area network wherein the user identifier

functions to identify the customer to the server device; and retrieving a list of

model numbers from a purchase history database based on the user identifier,

wherein the step of transmitting the appliance selection data comprises the step

of transmitting the list of model numbers retrieved from the purchase history

database.

PointServe teaches:

receiving a user identifier provided by the customer at the server device

from the client device via the wide area network; wherein the customer identifier

functions to identify the customer to the server device.

Reference V1 page 2 paragraph 2 line 1-2, users can schedule an appointment

with a repair service provider over the internet (i.e. a client device transferring

information to and from a server device). Pointserve teaches that customers are

arranging their own repair schedule and picking a service vendor online that best

matches their needs and schedule. This would require the service provider receiving a

user identifier from the user so that the company can see appointments for their own

personnel, what is being repaired and also know who is contacting the repair service

provider-see also Reference X1 page 2 column 3 line 15 –customers accessing the

system online are required to pay a fee to access at home repair scheduling – this

would require their identity to be received over the internet.

Both Whirlpool.com and PointServe.com address the needs of appliance owners

who are accessing appliance repair information over the internet, and thus both are

analogous art.

PointServe teaches that it helps companies control costs and maximize profits by

optimizing the scheduling and dispatch of service workers (Reference U1 page 1

paragraph 2 line 2-6).

It would have been obvious to one of ordinary skill in the art at the time of the

invention to modify the teachings of Whirlpool.com regarding providing appliance

selection data over the internet, with the step of receiving a user identifier provided by

the customer at the server device from the client device via the wide area network, as

taught by PointServe, because it would enable costs to be controlled and profit

maximized through the optimization of service scheduling.

Whirlpool.com and PointServe do not teach:

   retrieving a list of model numbers from a purchase history database based

on the user identifier, wherein the step of transmitting the appliance selection

data comprises the step of transmitting the list of model numbers retrieved from

the purchase history database.

   Francett teaches:

   retrieving a list of model numbers from a purchase history database based

on the user identifier, wherein the step of transmitting the appliance selection

data comprises the step of transmitting the list of model numbers retrieved from

the purchase history database.

   Reference U2 page 76 paragraph 5 line 1-6, the service provider accesses a

database (i.e. purchase history database) to determine what appliances the customer

has (i.e. their purchase history), so that the repair person has the right parts when they

make the service call. This would include retrieving a list of model numbers from the

database of customer purchases so that the technician has the appropriate parts when

the call is made.

   Whirlpool, PointServe and Francett all address providing appliance repair service

to customers at their home, thus all are analogous art (See Reference U2 page 75

paragraph 4 line 1-5 – PSE&G targeted servicing home appliances in addition to their

traditional utility-based business).

Francett teaches that applying information technology tools provides improvements in efficiency and lowers costs (Reference U2 page 75 paragraph 5 line 3-5).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the collective teachings of Whirlpool.com and PointServe regarding providing internet-based servicing and scheduling of home appliance repair, to include transmitting a list of model numbers from a purchase history database to facilitate selection of the proper model to be repaired, as taught by Francett, because it would provide efficiency and cost reduction improvements by ensuring that the appliance to be repaired would be correctly identified.

Conclusion

6.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jonathan G. Sterrett whose telephone number is 571-272-6881. The examiner can normally be reached on 8-6.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tariq Hafiz can be reached on 571-272-6729. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

7.   Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

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SUSANNA M. DIAZ
PRIMARY EXAMINER

AU 3623